Damage to any District Board property how made good.

61. If through any act, neglect or default, on account whereof any person shall have incurred any penalty imposed by or under this Regulation, any damage to the property of any District Board shall have been caused by such person, he shall be liable to make good such damage as well as to pay such penalty, and the value of the damage shall, in case of dispute, be determined by the Magistrate by whom the person incurring such penalty is convicted. Such value shall be recoverable in the manner provided under Chapter VII.

CHAPTER VI.

FINANCE.

District Fund, its custody and investment.

62. (1) There shall be in each District a fund which shall be called the District Fund, and be administered by the District Board of the District.

(2) It shall be lawful for a District Board to deposit at interest with the Mysore Government Savings Bank or with the sanction of the Government in any Bank in Mysore, any surplus funds in its hands which may not be required for current charges and with the like sanction invest such funds in securities of the Government of India or of the Government of Mysore or such other securities as the Government may, from time to time, approve in this behalf, and vary such investment with like sanction or dispose of such securities with the like sanction.

(3) The District Fund over and above what is invested as provided for in sub-section (2), shall be kept in the Government Treasury of the District.

Constitution of District Fund.

63. The following shall form part of, or be paid into the District Fund—

(*i*) the balance of the District Fund and the whole or such portion of the Taluk Funds at the commencement of this Regulation as the Government may direct in this behalf;

(*ii*) such portion of the local cess on land revenue and of other local rates levied or leviable by the Government as may be assigned from time to time for expenditure by the District Board;

(*iii*) all rates, cesses, tolls, fees, fines and penalties paid to or levied by or on behalf of the District Board under this Regulation;

(*iv*) all rents from lands or other properties of the District Board;

(*v*) all interest, profits and other moneys accruing by gifts or transfers from the Government or private individuals or otherwise;

(*vi*) all proceeds of land and other property sold by the District Board including sale proceeds of grass and of the produce of trees not vested in private individuals on the sides of roads and on other public ground under the control and administration of the District Board and of timber fallen or felled therefrom; and

(*vii*) all sums received by or on behalf of the District Board by virtue of this or any other Regulation.

District Board property and District Fund how to be applied.

64. All property vested in the District Board under this Regulation and all funds received by it in accordance with the provisions of this Regulation and all sums accruing to it under the provisions of any law for the time being in force, shall be applied, for expenditure as provided for in this Regulation.

Provided that all sums made over to or realised by a District Board for any specific purpose shall be applied solely for that purpose.

District Fund where to be expended.

65. Expenditure by a District Board out of the District Fund shall, save as otherwise provided by this Regulation, be made within the area subject to its authority only, but may, with the sanction of the Government be made outside that area for any of the purposes mentioned in this Regulation.

But nothing herein contained shall be deemed to require the special sanction of the Government for payment of the following charges:—

(*a*) for audit of accounts of the District Boards;

(*b*) for maintenance and treatment of persons undergoing anti-rabic treatment at rates approved by the Government;

(*c*) for other charges expressly required or authorised to be incurred from the District Fund by any law in force or rule or order made by the Government.

Tolls.

66. (1) Subject to the rules prescribed by the Government in this behalf, a District Board may levy tolls on carts, carriages vehicles or animals at toll gates or stations established along roads and bridges vested in it, at rates sanctioned by the Government in each case not exceeding those specified in Schedule III.

(2) A District Board may compound with any person for a sum to be paid annually or half-yearly in lieu of all such tolls either generally or in respect of all roads and bridges in the District vested in the District Board or specially in respect of any particular road or bridge in the District and may issue passes to such person in respect of his carts, carriages, vehicles and animals provided that such composition shall include all the carts, carriages, vehicles and animals possessed by the person so compounding.

(3) The District Board may, with the previous sanction of the Government, declare that payment of tolls on carts, carriages, vehicles or animals at any toll gate or station or bridge, whether within or without Mysore, shall clear such carts, carriages, vehicles or animals at any other toll gate or station or bridge.

(4) Exemptions from payment of tolls shall be regulated by the rules to be prescribed by the Government in this behalf.

(5) No more than one payment of toll shall be demanded at any toll gate, station or bridge in respect of any carts, carriages, vehicles or animals in any one period of 24 hours counted from sunrise to sunrise provided that when toll has been paid at any toll gate, station or bridge in respect of any carts, carriages, vehicles or animals not laden or unridden, the difference between such tolls and the tolls payable in respect of such carts, carriages, vehicles or animals laden or ridden shall be payable if such carts, carriages, vehicles or animals again pass through such toll gate, station or bridge, laden or ridden within such period.

(6) Any toll contractor or lessee of a toll gate or station or any person employed by the District Board or authorised by the lessee to collect the tolls may refuse to allow any person liable to the payment of the same, to pass through such toll gate or station, until the proper toll has been paid.

(7) Any person, who being liable to the payment of toll under this Regulation, refuses to pay the toll or fraudulently or forcibly passes any toll gate or station without paying the proper toll, or obstructs the person authorised to collect toll in the discharge of his duties, shall be liable, on conviction before a Magistrate to simple or rigorous imprisonment for a term not exceeding three months or to a fine not exceeding Rs. 50.

(8) Whoever not being duly authorised to collect tolls, levies or demands any toll on any public road or bridge, or whoever duly authorised to collect tolls, demands more than the rates authorised, shall be liable, on conviction before a Magistrate, to a fine not exceeding Rs. 200 or to simple or rigorous imprisonment not exceeding six calendar months.

(9) In the case of non-payment of any toll on demand, the person duly authorised to collect the same may seize any of the carts, carriages, vehicles or animals on which it is chargeable or any part of their burden of sufficient value to defray the toll.

(10) If any toll remains undischarged for 24 hours after any property has been seized under sub-section (9), it shall, after 24 hours' notice, exclusive of Sunday or any close holiday, be sold by the President or a person duly authorised, by public auction

for the discharge of the tolls, and all expenses occasioned by such non-payment, seizure and sale and the balance, if any, returned on demand to the owner of the property, provided that if at any time before the sale has actually begun, tender is made of the amount of all the expenses incurred and of double the toll payable, the property seized shall forthwith be released.

(11) In all cases of resistance to the lawful authority of the persons authorised to collect tolls, all police officers shall assist when required and, for this purpose, shall have the same power which they have in the execution of their ordinary police duties.

(12) A table of the tolls authorised to be taken at any toll gate or station under this section with a statement of the penalties, on refusing to pay the same, legibly written in English and Kannada, shall be put up in a conspicuous place near such gate or station. It shall be the duty of the person in charge of such gate or station to keep such table in a proper and legible condition. When the table of tolls is not so put up at any toll gate or station, no toll shall be levied thereat during such time.

District Board to levy education cess.

67. Every District Board shall levy an education cess at a rate not less than six pies but not exceeding one anna in the rupee on all items of revenue on which local cess is levied to be utilised solely for purposes of education.

Power of District Board to levy Railway Cess.

68. The District Board may levy with the previous sanction of the Government and subject to such rules as may be framed by the Government in this behalf, a railway cess not exceeding six pies in the rupee on all items of revenue on which local cess is levied to be utilised solely in the construction of tramways and railways.

Power to levy any other cess.

69. A District Board may levy, with the previous sanction of the Government and subject to such rules as may be made by the Government in this behalf, a special cess for carrying out any of the duties imposed on it by sub-section (1) of section 45.

Rents and Fees.

70. Subject to the bye-laws made in this behalf, a District Board may charge fees for permissions issued under this Regulation and levy rents and fees for the occupation or use of any road, land or other property placed under its control or vested in it or maintained out of the District Fund.

Agency for collection.

71. The local cess, the Railway Cess and the Education Cess shall be adjusted or collected by the Departmental Government Officers or establishments concerned along with the principal items of revenue on which the cess is leviable. All other items of revenue shall be collected by such agency as the District Board appoints in this behalf with the approval of the Government, provided that it shall be lawful for a District Board to lease the right to levy tolls or any fee that may be imposed under this Regulation by public auction, subject to the rules prescribed, and the amount due under such lease shall be recoverable in the manner provided under Chapter VII.

District Boards may raise loans and may form a sinking fund.

72. It shall be lawful for a District Board, with the previous sanction of the Government and subject to the conditions imposed by it, from time to time, to raise loans for constructing a Railway or Tramway or for the execution of any approved work or for the purpose of carrying out any of the provisions of this Regulation and to form a sinking fund for the repayment of such loans.

Grant of loans to encourage local arts and industries.

73. Subject to the rules that may be made by the Government from time to time, a District Board may grant loans from the District Fund to encourage local arts and industries and to recover the same in the manner provided in Chapter VII.

Contributions to expenditure incurred by the Government or other local authorities and power to make grants-in-aid.

74. (1) Subject to the previous sanction of the Government, a District Board may make grants-in-aid to any medical institution or school within or without the area under its authority whether it be under public or private management.

(2) The Government may require a District Board to contribute towards the expenditure incurred by it or any other District Board, Municipal Council or Village Panchayet, for any of the purposes authorised by or under the provisions of this Regulation if such expenditure is such as to benefit the inhabitants of the area under the authority of such District Board.

Arrangements purporting to be binding permanently or for a term of years.

75. When a District Board has entered into any arrangement or made any promise, purporting to bind itself or its successors for a term of years or for an unlimited period, to continue to any institution a yearly contribution from its property or from the District Fund, it shall be lawful for the District Board or its successors with the sanction of the Government, to cancel such arrangement or promise or to discontinue or to diminish such contribution, provided that it shall have given at least six months' notice of its intention so to do to the manager or managers of such institution;

Annual estimates of income and expenditure.

76. (1) Every District Board shall, on or before the prescribed day in each year, hold a meeting at which the Standing Committee shall submit to the Board in such form as the Government may, from time to time, by rule prescribe an estimate of the income and expenditure of the Board for the next official year.

(2) The District Board shall consider the estimate and may approve of it with or without modification.

(3) The District Board shall, on or before the prescribed day, cause a copy of the estimate as approved by it to be sent to the Deputy Commissioner, who shall submit the same to the Government with his remarks, if any, and it shall be competent to the Government to sanction the estimate with such modification, if any, as it deems fit.

Provided that the District Board may sanction transfer of funds from one major or minor head in the budget to any major or minor head by a re-appropriation of an allotment sanctioned in the budget.

Annual accounts and audit.

77. Accounts of all the receipts and expenditure of every District Board shall be made up to the last day of every official year, in such form as the Government from time to time prescribes, and shall be examined and audited as soon as may be, after the end of each official year by such persons as the Government from time to time appoints in this behalf.

Inspection of estimates and accounts.

78. The District Board shall cause a copy of every estimate approved under Section 76 and of every account made up under Section 77 to be kept at its office; and any person may at all reasonable times inspect any such estimate or account.

Submission of abstract of accounts to the Government.

79. An abstract of every annual account of a District Board, showing its income under each head of receipts, the charges for establishment, the works undertaken, the sums expended on each work and the balance, if any, of the fund remaining unspent, shall be prepared by the District Board and submitted to the Government.

CHAPTER VII.

RECOVERY OF DUES.

Notice of demand for fee, cess or other dues.

80. (1) When any sum not being a toll payable on demand—

(a) which by or under the provisions of this Regulation, is declared to be recoverable in the manner provided by this Chapter, or